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Date: April 9, 2007/Jessica Sexton/

Jessica Sexton

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Appellants: Yun Lin, *et al.*

Serial No: 10/692,212

Filing Date: October 23, 2003

Examiner: Hanh B. Thai

Art Unit: 2163

Title: PERSISTENT CACHING DIRECTORY LEVEL SUPPORT

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

Dear Sir:

Applicants' representative submits this Reply Brief in response to the Examiner's Answer dated February 7, 2007. In the event any fees may be due in connection with this Reply Brief, the Commissioner is authorized to charge such fees to Deposit Account No. 50-1063 [MSFTP527US].

REMARKS

Claims 1, 3-5, 7-16, 18-22, 24, 25, 36, 37, 39 and 40 are currently pending and are presently under consideration. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments herein. In particular, the following comments address deficiencies contended in the Examiner's Answer to applicants' Appeal Brief.

I. Regarding the Rejection of Claims 1, 3-5, 7-16, 18-22, 24-25, 36, 37, 39 and 40 Under 35 U.S.C. §103(a)

The Examiner incorrectly maintains the rejection of claims 1, 3-5, 7-16, 18-22, 24-25, 36, 37, 39 and 40 U.S.C. §103(a) as being unpatentable over Domensikos, *et al.* (U.S. 6,065,043) in view of Murphy, *et al.* (U.S. 6,096,096). Appellants' representative respectfully requests that this rejection be reversed for at least the following reasons. The cited references, either alone or in combination, fail to teach or suggest all limitations of the subject claims.

To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second there must be a reasonable expectation of success. Finally, *the prior art reference (or references when combined) must teach or suggest all the claim limitations.* See MPEP §706.02(j). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must be found in the prior art and not based on the applicants' disclosure. See *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (emphasis added).

The claimed invention relates to a client side caching infrastructure that facilitates seamless operation across connectivity states between computers across a network. In particular, independent claim 1 recites *a client side caching component that selectively caches at least a subset of data from at least one online server and supports connection state transitions at the directory level on a logical namespace; and one or more client computers that receive and store the subset of data to their respective local databases for offline use by the respective client computers to facilitate a seamless operation of data retrieval across connectivity states for a*

user, the offline use is limited to shares of the logical namespace that are experiencing a period of disconnect. Independent claims 21 and 36 recite similar limitations. Domensikos, *et al.* and Murphy, *et al.* fail to disclose or suggest such novel features recited in the subject claims.

At page 10 of the Examiner's Answer, the Examiner incorrectly asserts that Murphy, *et al.* teaches a system configured to receive and store the subset of data to their respective databases for offline use by the respective client computers to facilitate a seamless operation of data retrieval across connectivity states for a user, the offline use is limited to the shares of the logical namespace that are experiencing a period of disconnect, as afforded by the claimed invention. In accordance with the claimed invention, when a client application makes a request using paths into a kernel portion of the remote file system, a determination can be made as to whether the remote server is online. If it is not online, the CSC component directs the file request to a local cache on the client (*See Pg 9, lines 10-14*). Thus, *a seamless operation of data retrieval across connectivity states* is achieved by the claimed invention. When a connection state changes from online to offline due to a network disconnect, the CSC component will only transition to the cache the directory on the list that hosts the object. The rest of the logical namespace is not affected. Thus, *the offline use is limited to shares of the logical namespace that are experiencing a period of disconnect.* To the contrary, Murphy, *et al.* discloses storing information from an entire web site onto a portable storage medium. The stored information includes all documents linked to the website and corresponding virtual document roots. However, nowhere does the reference limit offline data access to only specific shares of a single logical namespace that are experiencing a period of disconnect. Rather, Murphy, *et al.* provides a system for navigating an entire website while offline without contemplating allowing online access to shares of a logical namespace that are not experiencing a period of disconnect and limiting offline access of data associated with *shares of the logical namespace that are experiencing a period of disconnect*, as recited by the subject claims.

In view of at least the foregoing, it is readily apparent that Domensikos, *et al.* and Murphy, *et al.*, considered individually or in combination, fail to teach or suggest all aspects of the subject claims. Accordingly, this rejection should be withdrawn.

II. Regarding the Rejection of Claims 6 and 17 Under 35 U.S.C. §103(a)

The Examiner incorrectly maintains the rejection of claims 6 and 17 under U.S.C. §103(a) as being unpatentable over Domensikos, *et al.*, in view of Murphy, *et al.* and further in view of Shaw, *et al.* (US 2002/0083148). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. The subject claims depend from independent claim 1. As discussed *supra*, Domensikos, *et al.* and Murphy, *et al.*, individually or in combination, do not teach or suggest each and every element set forth in claim 1. Shaw, *et al.* does not make up for the aforementioned deficiencies of Domensikos, *et al.* and Murphy, *et al.* Therefore, withdrawal of this rejection is respectfully requested.

III. Conclusion

The subject application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP527US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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